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**From:** Schmit, Ayn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2B2F896DF44140F698592CEA68347CDA-SCHMIT, AYN]  
**Sent:** 9/16/2019 7:51:04 PM  
**To:** Heather McMahon [hcmahon@ktunaxa.org]; Jesse Sinclair [jsinclair@lgl.com]; Reddekopp, Sheldon ENV:EX [Sheldon.Reddekopp@gov.bc.ca]; Rieberger, Kevin ENV:EX [Kevin.Rieberger@gov.bc.ca]  
**Subject:** Notes from our August 27 discussion with CSKT, KTOI and KNC on levels of protection

Hi, all- finally getting notes out to you from the discussion we had last month. Best,  
Ayn

EPA Regions 8 and 10 met with the Confederated Salish and Kootenai Tribes and the Kootenai Tribe of Idaho on August 27, 2019. The first part of the call focused on a discussion of the process for establishing site-specific selenium criteria for Lake Koocanusa, and specifically what scenarios (i.e. levels of protection) will be considered in the mechanistic modeling that is the primary method for deriving water column criteria. For this discussion we were joined by the Ktunaxa Nation Council of BC, Montana DEQ and the BC Ministry of Environment. Participants included:

CSKT: Richard Janssen and Erin Sexton

KTOI: Genny Hoyle (was Carol Kriebs actually on?)

KNC: Heather McMahon and Jesse Sinclair

MDEQ: Lauren Sullivan and Myla Kelly

BC Ministry: Sheldon Reddekopp and Kevin Rieberger

EPA: Joe Beaman, Ayn Schmit, Tonya Fish, Jason Gildea, Kim Varilek, Lisa Kusnierz, Patty McGrath

MDEQ gave a short presentation outlining the five scenarios currently proposed for modeling. Alternatives 1 and 3 are the most conservative and meant to represent protection of individual fish using the BC and EPA egg/ovary values of 11 and 15.1 ug/L respectively. Alternative 2 and 4 represent protection of the fish population mean using the same egg/ovary thresholds. MDEQ indicated the consensus of the SeTSC is that all of these scenarios are scientifically defensible. They presented a 5<sup>th</sup> alternative that BC is proposing which is meant to protect against muscle/whole-body tissue contamination while also meeting the Health Canada screening values for high fish intake. This 5<sup>th</sup> alternative is based on the current BC muscle/whole-body tissue guideline stating that the mean for any species will not exceed the BC whole-body and muscle tissue guideline of 4.0 mg Se/Kg. There were a number of questions about the basis for using this threshold, which is meant as both an aquatic life protection threshold and as a basis for fish consumption human health effects. Jesse from KNC mentioned a high fish consumption threshold stated set by the Health Canada Screening of 7.3 ug/g dry weight. This guideline is proposed to be protective of aquatic life while also meeting the high fish consumption threshold. BC indicated they are working to better understand the derivation of the 4 mg/Kg number. They also mentioned that a human health risk assessment is underway in the Elk Valley that will look at indigenous fish consumption levels. The KNC expressed that they believe these levels of protection represent a reasonable and appropriate range for modeling purposes. MDEQ and the Ministry suggested that they would like to make a final decision on the scenarios before December. They agreed that at the November MRC meeting they will

indicate their deadline for this decision. In the meantime the Tribes are free to weigh in informally or formally on this question.

MDEQ also presented a timeline for the criteria development process, which projects that Montana will finalize their Se criteria for the Lake by the end of 2020, when it will be submitted to EPA for review and action. The timeline indicates, based on conversations between MDEQ and EPA, that EPA would initiate formal consultation in the Jan-Feb 2020 time frame, prior to final decisions by MDEQ and BC on the criteria to be selected for adoption.

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